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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/654,171	09/03/2003	Hiroshi Ushimaru	9281/4665	4329

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EXAMINER

GARCIA, ERNESTO

ART UNIT	PAPER NUMBER
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3679

DATE MAILED: 04/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/654,171

**Applicant(s)**

USHIMARU, HIROSHI

**Examiner**

Ernesto Garcia

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 10-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10,11,13,14,18 and 19 is/are rejected.
- 7) ☒ Claim(s) 12,15-17 and 20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☒ Certified copies of the priority documents have been received in Application No. 10/114,161.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/6/03</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Objections*

Claims 12, 14, 16 and 18 are objected to because of the following informalities:

regarding claim 12, "the parts of" in line 2 should be deleted;

regarding claim 14, "the same" in line 2 should be --an equal--, and "tops" in line 3 should be --top--;

regarding claim 16, the first occurrence of "the" in line 3 should be --a--, "the" before "hooks" in line 3 should be deleted; and,

regarding claim 18, it is unclear whether the first occurrence of "the front wall" in line 3 and "the cylindrical side wall" in line 7 is that of the base or the knob, and "fitting member" in line 7 should be --base--. Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 10, 11, 13, 14, 18 and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Rogers, 2001/0025545 A1, (see marked-up attachment).

Regarding claim 10, Rogers discloses, in Figure 1, a fitting structure comprising a fitting member **12**, a shaft member (not shown but a screw is to be screwed into bore **22**), and a knob **14**. The fitting member **12** is fitted to the shaft member. The shaft member is arranged concentrically with the fitting member **12** and fitted to a front face **A4** of the fitting member **12**. The fitting member **12** has a base **A5**, arcwise guides **24**, gaps **A8**, and guide faces **A9**. The guides **24** protruding forward from the base **A5** and provided on a first circle **A7**. Each of the gaps **A8** is provided between adjacent ones of the guides **24**. Each of the guide faces **A9** is provided at a top **A10** of one or another of the guides **24** and inclined relative to the base **A5**. The knob **14** has the projections **36** positioned corresponding to the first circle **A7**.

Regarding claim 11, the projections **36** are held between adjacent ones of the guides **24**.

Regarding claim 13, the projections **36** are arranged to form a cross [in a cross].

Regarding claim 14, the guide faces **A9**, inclined in an equal direction relative to the base **A5**, are formed at the top **A10** of the guides **24**.

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Regarding claim 18, the base **A5** has a front wall **A12** and a cylindrical sidewall **A13** extending backward from a circumference **A14** of the front wall **A12**. The front wall **A12** is provided with the guides **24** protruding forward. The knob **14** has a front wall **A15** and a cylindrical sidewall **A16** extending backward from a circumference **A17** of the front wall **A15** of the knob **14**. The front wall **A15** of the knob **14** is fitted with the projections **36** protruding backward in a state of being positioned in the sidewall **A16** of the knob **14**. The sidewall **A13** of the base **A5** is positioned within the sidewall **A16** of the knob **14**.

Regarding claim 19, the fitting structure is further provided with a rotation drive member **20** of which the shaft member (note, the screw is to be fitted in hole **22**) is rotatable. The fitting member rotates together with the shaft member when the knob is fitted.

### ***Allowable Subject Matter***

Claims 12, 15-17 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

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regarding claim 12, the prior art of record does not disclose or suggest a fitting structure comprising a fitting member provided with through holes bored in a base positioned between gaps each provided between arcwise guides;

regarding claim 15, the prior art of record does not disclose or suggest a fitting structure comprising an annular fitting portion on a second circle of a base of a fitting member;

regarding claim 16, the prior art of record does not disclose or suggest a fitting structure comprising a knob having keep pieces arranged corresponding to a second circle;

regarding claim 17, this claim depends from claim 15; and,

regarding claim 20, the prior art of record does not disclose or suggest a fitting structure comprising a rotation drive member comprising a motor. There is no reason to make the rotation drive member 20 of Rogers into a motor as there is no motivation.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ernesto Garcia whose telephone number is 703-308-8606. The examiner can normally be reached from 8:30-5:00.

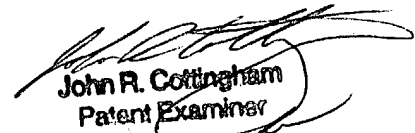
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne H Browne can be reached on 703-308-1159. The fax phone

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numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-2168.



**John R. Cottingham**  
Patent Examiner

**Lynne H. Browne**  
Supervisory Patent Examiner  
Technology Center 3600

E.G.

April 15, 2004

Attachment: one marked-up copy of Rogers, 2001/0025545.

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US2001/0025545A1

